

CITY OF MINNEAPOLIS

U and T Visa Certification Ordinance

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What are U and T Visas?

Victims of Criminal Activity: U Nonimmigrant Status



Don't be afraid to
ASK FOR HELP

Immigration relief is available for victims
of human trafficking, domestic violence
and other crimes

<https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>

U and T Visas

- Victims of Trafficking and Violence Prevention Act (2000)
- Goal: assist in the investigation and prosecution of serious crimes and human trafficking
- Immigrants, especially women and children, can be particularly vulnerable to crimes such as:
 - human trafficking,
 - domestic violence,
 - sexual assault and stalking
- As set out in the Dept. of Homeland Security Guidance:

Congress sought not only to prosecute perpetrators of crimes committed against immigrants, but to also strengthen relations between law enforcement and immigrant communities.

U Visa Eligibility

- Victim of qualifying criminal activity.
- Suffered substantial physical or mental abuse as a result of having been a victim of criminal activity.
- Have information about the criminal activity.
- Has been, is, or is likely to be helpful to law enforcement in the detection, investigation or prosecution of the crime.



Eligible Crimes

Abduction Abusive Sexual Contact Blackmail Domestic Violence Extortion False Imprisonment Female Genital Mutilation Felonious Assault Fraud in Foreign Labor Contracting	Hostage Incest Involuntary Servitude Kidnapping Manslaughter Murder Obstruction of Justice Peonage Perjury Prostitution Rape	Sexual Assault Sexual Exploitation Slave Trade Stalking Torture Trafficking Witness Tampering Unlawful Criminal Restraint Other Related Crimes

T Visas – Human Trafficking Victims

To qualify for T nonimmigrant status you must:

- Be or have been a victim of severe human trafficking
- Comply with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking.
- Demonstrate that you would suffer extreme hardship involving severe and unusual harm if you were removed from the United States.

U and T Visa Certifications

Eligible Agencies

- Within the City of Minneapolis includes:
 - Minneapolis Police Department
 - City Attorney's Office – domestic violence
 - Civil Rights Department
- Certify eligibility – I-918B/ I-914B federal forms



Impact of Certification

- 1 piece of required paperwork to be eligible to apply
- Application subject to review and investigation by Immigration authorities
- Only qualifies for entry into annual lottery
 - - 10,000 U Visas
 - - 5,000 T Visas
- Allowed to remain in U.S. for up to 4 years
- Opportunity to apply for permanent residency under certain circumstances

Ordinance Provisions – Standard/ Expedited Review

- **Standard:**
 - **Process within 30 days** (or as soon as reasonably possible if need more time to obtain off-site records or for other good cause)
- **Expedited** – for victims or family members in removal proceedings:
 - **Process within 7 days** (or as soon as reasonably possible if need more time to obtain off-site records or for other good cause)

Ordinance Provisions - Process

- ✓ Make information about standard/ expedited certification process easily accessible to public:
 - Multiple languages
 - Create link on website
- ✓ Exercise sound discretion and judgment taking into consideration all relevant facts

Helpfulness

- Rebuttable presumption of helpfulness:
 - If victim has not unreasonably refused to cooperate or unreasonably failed to provide information and assistance requested by law enforcement
 - Subject to the sound discretion and judgment of the certifying official

Data Privacy

- Shall not disclose personal information of victims obtained through the certification process, except as required by:
 - Data Practices Act
 - Court Order
 - Other laws

Questions

